

London. - III. Society for Constitutional
Information.

R E P O R T
OF THE (4)
SUB-COMMITTEE OF WESTMINSTER,
Appointed APRIL 12, 1780,
TO TAKE INTO CONSIDERATION ALL SUCH MATTERS,
RELATIVE TO THE
ELECTION OF MEMBERS OF PARLIAMENT,
AS MAY PROMOTE THE
PURPOSES OF THE PRESENT ASSOCIATION.

Free Maçons Tavern, May 27th 1780.

THE Sub-committee having duly examined the various statutes of this realm, respecting the election of members to serve in the Commons' House of Parliament, more particularly such as were enacted for the purpose of guarding against the prevalence of bribery and corruption at elections, and the operation of every other species of undue influence upon the electors and elected; and reflecting upon the inefficacy of these provisions with respect to the prevention of evils, which threaten the final extinction of our liberties, are decidedly of opinion, that no effectual reformation of the abuses in question can take place, unless the people exercise their inherent and undoubted right of reviewing the whole plan of delegation, and, by recurring to the first principles of our constitution, again establish it upon its antient foundations of equity and right reason.

When error has obtained the sanction of time, it appears to the unthinking mind under the semblance of truth; and even men of reflection, who have formed a just conception of its nature and its tendency, are in such circumstances alarmed with apprehensions at the first attempts for its correction. However, as the consequences of error, in proportion to its magnitude and extent of operation, are manifestly evil, and as constitutional

errors

errors may therefore be supposed to be unavoidably productive of national calamity, it is surely more prudent, in the proper season, to submit to the perhaps imaginary inconveniencies of a reformation, than to suspend our exertions, until we are obliged to encounter those accumulated miseries, which an obstinate perseverance, in an acknowledged course of error, must derive upon both prince and people.

The prevalence of evil in the present hour proves the prevalence of error; and it does not require any extraordinary degree of sagacity in the politician and philosopher to discover, that the primary error, and the fruitful source of the many evils which we feel, consists in a departure from fundamental principles, in the present constitution of the Commons' House of Parliament: in consequence of which, it is no longer obedient to the will, or speaks the language of the great constituent body of the people.

Every application, therefore, for the redress of the present grievances of the nation, that shall be made to a body of men, no longer under the influence of their constituents, but on the contrary uniformly acting in subserviency to the views and interest of the crown, must of necessity be unsuccessful; and, from the natural effect of disappointment upon the human mind, will probably impair the vigour of every future exertion.

Application to the crown to suspend the exertions of its influence, or to repair the breaches made in that part of the constitution, which was intended to be the bulwark of the people against its encroachments, presupposes such an ignorance of the principles, which, in certain circumstances, are found invariably to actuate the human heart, that one would be led to imagine the use of argument would be superseded by the obvious absurdity of the expedient.

The event of the experiment, frequently repeated, has confirmed the conclusion which right reason would have suggested; and it now stands a truth, recorded for the benefit of every future generation, that when the point in question is a redress of grievances, originating in oppression, or a restitution of the rights and privileges of the people, millions sue in vain.

To what earthly tribunal therefore shall an injured people have resort in this alarming moment, when a desperate faction, in the midst of public calamity and distress, has manifested a determined purpose of persevering in a line of conduct, which, if persisted in, must inevitably end in the subversion of our liberties, and the desolation of our state? The sun of England's glory perhaps soon may set to rise no more!

One hope still remains in the native energy of the great collective body of the people, the native energy of a race of men, who have always stood distinguished in the annals of nations for every liberal sentiment, and every generous principle that can dignify our kind.

The peaceful efforts of this mighty power, acting by committees freely chosen, are sufficient, under the providence of Heaven, to re-establish the constitution in its antient vigour. The public state of affairs requires this exertion; the public voice at length appears disposed to bear its testimony to this important truth; viz.

That the restoration of the Commons' House of Parliament to freedom and independency, by the interposition of the great collective body of the nation, is essentially necessary to our existence as a free people.



The circumstances of the times, and the peculiar nature of the means, which must be employed for effecting our deliverance, require, that the proposed plan be exhibited complete in all its essential forms; and that its various parts, being combined in strict and necessary union with each other, be established at one and the same moment of time.

When we cast our eyes upon the conduct of the present Commons' House of Parliament; when we behold a majority of its members, in defiance of our petitions, and their own solemn declaration, persist in increasing the burdens of the people, and in a stedfast purpose of opposing every measure of redress, desponding apprehensions may for a time take place in the minds of the best and bravest of our countrymen. Reflection, however, will disclose a more pleasing prospect arising from the very extremity of our distress: more vigorous counsels, and an happy unanimity will be the unavoidable result; the alarm of the nobility for the very existence of their present splendid distinctions will co-operate with the poignant feelings of the people; and every rank and description of men will feel the propriety, the necessity of establishing that plan of parliamentary reformation, which holds forth our best, and indeed our only security, against the all-devouring influence of the crown.

Political truth, like the moral feelings of the soul, is plain and simple; it recommends itself powerfully to the general sentiment: and, when unveiled in its intrinsic purity, will assuredly call forth the animated exertions of millions in its support.

An equal representation of the people in the great council of the nation, annual elections, and the universal right of suffrage, appear so reasonable to the natural feelings of mankind, that no sophistry can elude the force of the arguments which are urged in their favour; and they are rights of so transcendent a nature, that, in opposition to the claim of the people to their enjoyment, the longest period of prescription is pleaded in vain. They were substantially enjoyed in the times of the immortal Alfred; they were cherished by the wisest princes of the Norman line; they form the grand palladium of our nation; they ought not to be esteemed the grant of Royal favour, nor were they at first extorted by violence from the hand of power: they are the birthright of Englishmen, their best inheritance, which, without the complicated crimes of treason to their country, and injustice to their posterity, they cannot alienate or resign: they form that triple cord of strength, which alone can be relied on to hold, in times of tempest, the vessel of the state.

With respect to the expediency of reforming the representation of this country, and of recurring to the constitutional practice of annually electing the persons sent to Parliament, the Sub-committee observe,

That the General Meeting of the deputies, on the 17th of March, decided, in the affirmative, upon the propriety of these measures, with unanimous voice; that the committee, from which this body received its instructions, have, with similar unanimity, given their suffrages to the same sentiment; and that the General Meeting of the inhabitants of Westminster upon the 6th of April declared, "That the people of England have, and always had, a clear, unalienable, indefeasible right to an annual election of their representatives, as well as to an adequate and equal representation,

secured

founded upon stronger grounds than that of any act or acts of parliament; and that the attainment of these important constitutional objects is the most effectual expedient, for restoring and securing the independency of Parliament."

With regard to the restitution of the universal right of suffrage the Sub-committee conceive, that the reasonableness and expediency of the measure will probably be more apparent, if the full extent and magnitude of those powers be considered, which are entrusted to the representative by the constituent body.

The doctrine, that representation and taxation are inseparable, is founded in truth; but the undue preference that has been afforded to the rights of property, in various discussions of this subject, has tended to keep out of sight other principles, equally essential to a just conception of this question.

A portion of the soil, a portion of its produce, may be wanting to many; but every man has an interest in his life, his liberty, his kindred, and his country; and when laws affecting these are made by persons, to whom he hath not delegated the power, each of these possessions, which are as substantial, as if, like land or money, they were the objects of the senses, may be invaded, and probably would be invaded by those, who, being possessed of property, the grand enchantress of the world, would thereby be enabled more successfully to gratify that lust of despotic power, which so strongly characterizes the human heart.

The exercise of the poor man's elective right is therefore essential to his freedom; and although, in ordinary cases, he may sometimes dispose of his suffrage without a proper regard to its importance, yet, when public calamity demonstrates, that public confidence has been abused, the opportunity of rectifying the evil by a more judicious delegation will probably not be neglected. Common sense will instruct him that his own free and unbiassed voice, united with the voices of that numerous class of fellow citizens, who are his fellow sufferers at such a period, will prevail over the interested opposition of the tyrants of their species, and finally establish the real friends of humanity and of their country in the seat of power.

It may also be observed, that no consideration would have a stronger tendency to generate proper sentiments of affection to the community, and more effectually recall the minds of the rising generation from a course of dissipation and attachment to unworthy gratifications, than the perception of that share of political consequence, which the restitution of the universal right of suffrage would afford.

At a certain age all the male inhabitants of this kingdom, with a few exceptions, are subject to the obligation of serving in the Militia. Shall a man therefore be thought unworthy of a suffrage in the election of his representative, and at the same time shall his fellow citizens intrust to his fidelity and courage whatever they hold dear? Is it reasonable to deny to a citizen, when he has attained to maturity in his mental capacity, the common privilege of a freeman, the right of being governed by laws, to which the assent of himself or his representative has been obtained, and at the same time to avail ourselves of his bodily strength? Is it generous

is it politic, to treat him as an alien in the community, at the moment he may be ornamenting it by the powers of his understanding, or defending it by his arms?

Urged by the force of these reflections, your Sub-committee have considered the points proposed to their deliberation in their full extent. They have examined the voluminous system of laws relating to the subject of parliamentary elections, and find themselves under a necessity of pronouncing the far greater part of them to be founded upon partial conceptions, unjust restrictions, and false measures of expediency, which will not stand the test, when contrasted by the acknowledged principles of the constitution of this country.

More particularly, it appears to your Sub-committee,

1. That through the joint operation of the statute of disfranchisement, passed in the eighth year of the reign of Henry VI. and the triennial bill of the sixth of William and Mary, which attempted to give the first legal sanction to the continuance of the same parliament beyond the period of a single session, the representation of the Commons of England is virtually annihilated; and an institution, which was intended to be the people's defence against aristocratic domination, or regal despotism, is now become an engine in the hands of the minister, to tax, oppress, insult, and enslave the people of this country.

2. That the present inequality in the representation in a great measure originates in an arbitrary exercise of the royal prerogative, whereby, in opposition to the clearest principles of the constitution, the crown presumed to authorize, at pleasure, certain incorporated bodies to send members to the Commons' House of Parliament; the unsuspecting people of this country at the same time not attending to the inequality, that from thence must necessarily take place in the representation, to the substantial injury of themselves, and every succeeding generation.

3. That in consequence of the decay of many of these corporations, and through the partiality of the crown in various periods of our history to its own tenants and dependants, there is at this time a degree of representation enjoyed by many boroughs of this kingdom, far exceeding the bounds of due proportion, and too dangerous to the public freedom to be longer endured.

4. That more than seventy acts of parliament have been passed since the first invasion of the liberties of Englishmen in the reign of Henry VI. for the purpose of regulating elections—that tumults and disorders, bribery, perjury, and false returns, with a long train of other attendant evils, have been multiplied, in proportion as the acts were multiplied, which, under pretence of removing these evils, have in fact perpetuated them, and at the same time have abolished, and almost obliterated the remembrance of the universal right of suffrage, which forms one of the most important franchises of the English people.

5. That every attempt to banish bribery and corruption, and undue influence, while the present restrictions of the right of suffrage, and imperfect representation in a septennial Parliament shall subsist, would only be calculated to deceive and amuse the nation to its final destruction.

5. That

5. That instead of adding to the number of our statutes by regulations incompetent to the purpose proposed, reformation should commence with the rescinding and abolishing of the injurious acts and illegal customs above-mentioned: thus would the Constitution, as if delivered from an oppressive weight that impedes its exertions, recover its energies; while the principles on which it is founded would suggest a simple, practicable, and effectual plan for regulating those elections, on which our freedom, our happiness, and our very national existence must depend.

Governed by these considerations, the Sub-committee have framed the following plan, in which they have made it their chief effort plainly to express every material provision for securing the free election of an independent House of Parliament—they have studiously avoided entering into a detail—they have suggested to the best of their ability a plan, founded upon constitutional principles, and the common rights of mankind—a plan expedient in our present circumstances, and which may with facility be carried into execution by the spirited, yet pacific efforts of the people; provided their breasts are informed with the same sentiments of public virtue, and ardent love of liberty, which have hitherto animated the exertions of the English nation.

P L A N

FOR TAKING THE

SUFFRAGES OF THE PEOPLE,

At the Election of Representatives to serve in Parliament.

I. **T**HAT each county be divided into as many districts as it is intitled to elect representatives, each district chusing one representative.

II. That the division of the county into districts be constituted in such a manner, that each district contain nearly an equal number of males competent to vote in elections; regard being had, as much as may be, to the parochial divisions of the kingdom; so that each division comprehend a certain number of parishes: and moreover, that each district receive its denomination from the parish containing the greatest number of electors.

III. That the election of representatives to serve in Parliament be held annually through England and Wales, upon the first Tuesday in July: that the election commence between the hours of eight and eleven, and be finally closed before sun-set of the same day.

IV. That all the male inhabitants of this country (aliens, minors, criminals, and insane persons excepted) be admitted to vote at the election of representatives, subject only to the forms, provisions, and regulations specified in this report.

V. That

V. That the number of representatives, returned by the inhabitants of each county of England and Wales, be settled for the term of seven years next ensuing, according to the following schedule, viz.

That the county of Rutland, and the two universities, return	2—6
each two representatives	— — — —
The counties of Huntingdon and Westmoreland, each three	3—6
The county of Bedford, five	5—5
Berkshire, Cumberland, Herefordshire, each six	6—18
Bucks, Cambridgeshire with Ely, Hertfordshire, Dorset, Nottinghamshire, Oxfordshire, each seven	7—42
Leicestershire	8—8
Sussex, Warwickshire, Worcestershire, each nine	9—27
Cheshire, Cornwall, Derbyshire, Northamptonshire, Salop, Staffordshire, each ten	10—60
Hampshire, Wilts, each eleven	11—22
Gloucestershire, thirteen	13—13
Essex, Surry with Southwark, each sixteen	16—32
Lincolnshire, seventeen	17—17
Kent, Lancashire, Somerset, Suffolk, each eighteen	18—72
Durham bishoprick with Northumberland, Devon, each twenty-one	21—42
Norfolk, twenty-two	22—22
Wales with Monmouth, thirty	30—30
Middlesex with London and Westminster, forty-five	45—45
Yorkshire, forty six	46—46
Total	513

VI. That an exact roll be kept of the male inhabitants competent to vote in each parish, continued down to the first Tuesday in June; and that no person be permitted to give his suffrage, whose name is not found in that roll. That this roll be delivered in upon oath of the clergyman, churchwardens, or other officers of the parish, to the churchwardens of that parish of the district where the poll is taken.

VII. That the sheriff, together with all the justices of the peace, mayor, aldermen, and magistrates, form in each county a grand inquest, for allotting the districts in due proportion to the male inhabitants competent to vote, and for denominating the same; and that such inquest be finally settled, and notice of the allotment given to each parish comprehended in the district, within the term of ten days after the first Tuesday in June.

VIII. That the election of the representatives of the people be made at the principal town or village of the district.

IX. That the poll of each district be taken by ballot, under the conduct of the churchwardens of the parish in the district where the election is made.

X. The churchwardens of the district, at the close of the poll, shall declare the name of the person elected, and certify the same to the sheriff, in order to its being transmitted to the clerk of the crown in chancery.

XI. That the annual session of Parliament shall commence upon the first Thursday in November, unless some extraordinary event, or urgent national

tional business, should make it indisputably requisite for the crown to assemble it before the stated period.

XII. That the session terminate upon the last day of April, unless the national business should be sooner dispatched; the crown, nevertheless, having power to prolong the session beyond the stated period, if any urgent business remain unfinished; in which case, the Parliament may continue its sitting to the first Tuesday in July.

XIII. That all Members of the Commons' House of Parliament, before taking their seats, declare upon oath, That they do not hold any office or emolument at the will of the crown, or its servants, or any lord of parliament; that they will give due attendance to business, and act with fidelity to the people in the discharge of their important trust.

XIV. That all members serving in Parliament be intitled to reasonable wages, according to the wholesome practice of antient times.

XV. That all election causes be finally decided by jury before the Judge of Assize.

XVI. That every person, competent to give his suffrage as an elector, be also esteemed qualified to be elected to serve his country in Parliament.

Signed, by order of the Sub-committee,
T. BRAND HOLLIS, Chairman.

WESTMINSTER COMMITTEE.

King's Arms Tavern, Palace-yard, June 13, 1780.

RESOLVED,

THAT the thanks of this Committee be given to the Duke of Richmond, for his late motion in favour of an annual, equal, and universal representation of the commons: a measure, which is founded on the broad basis of constitutional Liberty, and the common rights of mankind; and would, in the opinion of this Committee, be immediately productive of that parliamentary freedom and independency, which is the purpose of our association to promote.

J. BRET T, Chairman for the day.

King's Arms Tavern, Palace-yard, Tuesday, July 18, 1780.

RESOLVED,

THAT the thanks of this Committee be given to the Chairman and Members of the Sub-committee, for the very intelligent report, made by them, relative to the Election of Members to serve in the Commons House of Parliament.

That the report of the Sub-committee be printed, and copies sent to the several Committees of the counties, cities, and boroughs of this kingdom.

C. J. FOX, Chairman.

Printed and distributed Gratis by the Society for Constitutional Information.